

The Applicants will file a terminal disclaimer if still required after determination of otherwise allowable subject matter.

Claim Rejections – 35 U.S.C. 102

Claims 1-27 were rejected as being anticipated by U.S. Pat. No. 6,548,328 to Sakamoto et al ('328 patent). The Applicants respectfully traverse this rejection for at least the reason that the Office action misconstrues the '328 patent.

The Office action states in paragraph 7 that the '328 patent discloses, "forming an interlayer insulating film (50) over the conductive pattern of the first layer; forming plural layers of the conductive pattern on the conductive pattern of the first layer through the interlayer insulating film . . . covering the circuit element and entirely molding with an insulating resin . . ." (see Figs. 3-29)" as recited in claim 1.

That interpretation of the '328 patent will result in an inconsistency. Element (50) of the '328 patent is an insulating resin into which the conductive paths are buried. Col. 7, lines 56-62 and FIG. 1. Thus, element (50) is a sealing resin to support the conductive paths (51). Col. 8, lines 51-55. Clearly, this element corresponds to the insulating resin (50) of the present application, which is recited in claim 1 as entirely covering the circuit element. However, if the element (50) of the '328 patent is construed to be the interlayer insulating film (42) of the present application, then there is no element of the '328 patent to correspond to the insulating resin entirely covering the circuit element of the present application. That is, element (50) of the '328 patent cannot correspond to both the insulating resin (50) and the interlayer insulating film (42) of the pending application.

Also, element (50) of the '328 patent cannot be an interlayer insulating film because the '328 patent does not disclose plural layers of a conductive pattern on the conductive pattern of the first layer as recited in claim 1. As illustrated in the embodiment of FIG. 5A, plural layers of conductive patterns (43) are on the first conductive pattern (41) and separated by insulating

layers (42). Because the '328 pattern does not disclose plural layers of conductive patterns, there is no interlayer insulating film.

The Applicants also have considered FIG. 23 of the '328 patent. In that figure, an insulating film (93) (marked on the figure with a cross-hatched design) may be construed as the interlayer insulating film of the present application. The conductive patterns are labeled as (85) in FIG. 23A and described at col. 17, lines 31-35. The insulating film (93) is illustrated as between layers of conductive foil (59) not between plural layers of a conductive patterns (85).

In contrast, claim 1 recites that plural layers of conductive patterns (42) are formed through the insulating film (43). Thus, the interlayer insulating film (43) is formed between the conductive patterns (42) and not between layers of conductive foil (41).

Applicants respectfully request withdrawal of the 35 U.S.C. 102 rejection because the cited reference does not disclose each and every element recited in claim 1.

Claims 2-27 depend directly or indirectly from claim 1 and should be allowable for at least the same reasons.

#### Conclusion

All pending claim are in condition for allowance.

The cited art made of record has not been discussed because it has not been applied against any of the claims.

The Applicants do not believe that there are any charges due. However, please apply any charges or credits to deposit account 06-1050.

Applicant : Noriaki Sakamoto et al.  
Serial No. : 09/970,013  
Filed : October 2, 2001  
Page : 4 of 4

Attorney's Docket No.: 10417-102001 / F51-  
138531M/SW

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Paul A. Levy", written over a horizontal line.

Paul A. Levy  
Reg. No. 45,748

Date: December 29, 2003

Fish & Richardson P.C.  
45 Rockefeller Plaza, Suite 2800  
New York, New York 10111  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291

30172275.doc